

RECORDATION NO. 0815 Filed 1425

NOV 2 1978 - 12 30 PM TEXAS COMMERCE BANK

RECORDATION NO. 0815 Filed 1425

INTERSTATE COMMERCE COMMISSION

RECORDATION NO. Filed 1425

October 30, 1978

RECORDATION NO. Filed 1425

NOV 2 1978 - 12 30 PM

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TERRELL PRUDEN  
Vice President

INTERSTATE COMMERCE COMMISSION

P. O. Box 2558  
Houston, Texas 77001

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Secretary of Interstate

Commerce Commission

Washington, D. C. 20423

NOV 2 1978 - 12 30 PM

INTERSTATE COMMERCE COMMISSION

Gentlemen:

INTERSTATE COMMERCE COMMISSION

In accordance with the provisions of Section 20c of the Interstate Commerce Act and Section 1116 of Title 49 of the Code of Federal Regulations, there is submitted herewith for filing and recordation a Security Agreement, and Bills of Sale of the railroad tank cars used or intended for use in connection with interstate commerce as follows:

1. Three (3) executed counterparts of a Security Agreement dated September 26, 1978, by and between Texas Commerce Bank National Association and Delta Investments;

2. Three (3) executed counterparts of a Supplement to Security Agreement dated October 9, 1978 by and between Texas Commerce Bank National Association and Delta Investments.

3. Three (3) true copies of four (4) Bills of Sale dated September 18, October 5, October 11, and October 20, 1978, between Richmond Tank Car Company and Delta Investments.

Also, enclosed is our check in the amount of \$300.00 for payment of the recordation fee.

The address of the mortgagor, Delta Investments, is 4615 Post Oak Drive, Houston, Texas 77027, and the address of the mortgagee, Texas Commerce Bank National Association, is 712 Main Street, Houston, Texas 77002.

Please return an original counterpart of each of the enclosed instruments, with filing data noted thereon, to the undersigned officer in care of Texas Commerce Bank National Association at the above address. If you need additional information with regard to these instruments or this transaction, please contact the undersigned. Thank you kindly for your attention to this matter.

Very truly yours,

TEXAS COMMERCE BANK

*Terry A. Pruden*

Terry A. Pruden, Vice President



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INTERSTATE COMMERCE COMMISSION  
INTERSTATE COMMERCE COMMISSION

TEXAS COMMERCE BANK  
NATIONAL ASSOCIATION

SUPPLEMENT TO SECURITY AGREEMENT

THIS SUPPLEMENT dated as of October 9, 1978, to the Security Agreement (hereinafter the "Security Agreement") dated as of September 26, 1978, by and between TEXAS COMMERCE BANK NATIONAL ASSOCIATION, a national banking association (hereinafter called "Secured Party"), and DELTA INVESTMENTS, a general partnership organized and existing under the laws of the State of Texas (hereinafter called the "Debtor"):

W I T N E S S E T H:

WHEREAS, Section II of the Security Agreement includes as Equipment subject to the provisions of the Security Agreement the railroad tank cars described therein;

WHEREAS, pursuant to the terms of the Security Agreement the Debtor has granted to the Secured Party a security interest in the Equipment listed in said Section II;

WHEREAS, the parties desire to supplement the Security Agreement as provided herein;

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, the parties hereby agree as follows:

1. The Security Agreement is hereby supplemented to identify by Registration Number twenty railroad tank cars included in the Equipment as described in Section II of the Security Agreement, such cars bearing the following Registration Numbers: RTMX 12506, 12507, 12508, 12509, 12510, 12511, 12512, 12513, 12514, 12515, 12516, 12517, 12518, 12519, 12520, 12521, 12522, 12523, 12524 and 12525. Such cars, as Equipment, are subject to all the terms and conditions of the Security Agreement as applicable to Equipment, including the security interest created under Section I thereof.

2. The Security Agreement, as hereby supplemented, remains in full force and effect mutatis mutandis.

3. The Security Agreement, as hereby supplemented, is in all respects ratified and confirmed, and

all rights and powers created or granted thereby or thereunder shall be and remain in full force and effect.

4. Terms used in this Supplement have the same meaning herein as in the Security Agreement.

5. The terms "Security Agreement" and "Agreement" as used in the Security Agreement shall be construed to mean the Security Agreement as supplemented by this Supplement.

IN WITNESS WHEREOF, the parties have caused their names to be signed hereto by their respective officers and representatives thereunto duly authorized, effective as of the date first written above.

TEXAS COMMERCE BANK  
NATIONAL ASSOCIATION

By Terry A. Pruden  
Terry A. Pruden  
Vice President

DELTA INVESTMENTS

By Stephen K. Gotsch  
Managing Partner

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

On this 30<sup>th</sup> day of October, 1978, before me personally appeared Terry A. Pawley to me personally known who being by me duly sworn says that he is a \_\_\_\_\_ of TEXAS COMMERCE BANK NATIONAL ASSOCIATION, that one of the seals affixed to the foregoing instrument is the corporate seal of said bank, that said instrument was signed and sealed on behalf of said bank by authority of its Board of Directors and acknowledged that the execution of the foregoing instrument was for the purposes and consideration therein expressed and was the free act and deed of said bank.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 30<sup>th</sup> day of October, 1978.

My commission expires:  
April 19, 1978

Brenda H. Ferris  
Notary Public in and for  
Harris County, Texas

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

BRENDA H. FERRIS  
Notary Public in Harris County, Texas  
My Commission Expires April 19, 1980

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Wayne K. Goettsche, Managing Partner of Delta Investments, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of Delta Investments, a general partnership, and that he executed the same as the act of such partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9<sup>th</sup> day of October, 1978.

My commission expires:  
4-28-79

Judith B. Taylor  
Notary Public in and for  
Harris County, Texas